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DEPARTMENT OF SOCIAL SERVICES
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ARNOLD SCHWARZENEGGER
GOVERNOR

April 8, 2009

Susan Nobles, Director
Yuba County Health & Human Services Department
5730 Packard Avenue
Marysville, CA 95901

Dear Ms. Nobles:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided the reviewer from our office during the course of the Civil Rights Compliance Review of Yuba County. Enclosed is the final report on the review.

There were some compliance issues identified in the report, which will require the development of a corrective action plan. Please submit your plan within sixty days of this letter. Please address each deficiency and include steps and time lines for the completion of all corrective actions and recommendations listed in the attached report.

We will provide a copy of our report to any individual who makes a request since our report is a public document. If you would like us to include a copy of your corrective action plan when responding to these requests, please indicate this when submitting your plan.

If you need technical assistance in the development of your plan, please feel free to contact the Civil Rights Bureau at (916) 654-2107 (voice) / (916) 654-2098 (TDD). You may also contact us by e-mail at crb@dss.ca.gov.

Sincerely,

RAMÓN S. LOPEZ, Chief
Civil Rights Bureau
Human Rights and Community Services Division

Enclosure

c: Joyce Ash, Civil Rights Coordinator

Chris Webb-Curtis, Branch Chief, CDSS Supplemental Nutrition Assistance Program
M.S. 8-9-32

Mike Papin, CDSS Supplemental Nutrition Assistance Program
Food Stamps Policy Bureau M.S. 8-9-32

Yvonne Lee, CDSS Supplemental Nutrition Assistance Program
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**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
COUNTY OF YUBA**

Conducted July 22, 2008 through July 25, 2008

**California Department of Social Services
Human Rights and Community Services Division**

**Civil Rights Bureau
744 P Street, M.S. 6-70
Sacramento, CA 95814
(916) 654-2107**

Reviewer

Cindy S. Guzman

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CIVIL RIGHTS COMPLIANCE REVIEW REPORT

I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the Yuba Department of Social Services with regard to its compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

An on-site compliance review was conducted on July 22, 2008. An exit interview was held with Joyce Ash, Civil Rights Coordinator, Carol Newsom, Program manager, Rob Shotwell, Deputy Director, Tony Roach, Program Manager, Shirley Baker, Adult Services Program manager, Radell Sharrock, Program Manager, and Kathy Cole, Deputy Director to review the findings.

The review was conducted in the following locations:

Name of Facility	Address	Programs	Non-English languages spoken by a substantial number of clients (5% or more)
One Stop	1114 Yuba Street Marysville, CA		Spanish Hmong
Main Office	5730 Packard Ave. Suite 100 Marysville, CA		Spanish Hmong

II. SUMMARY OF METHODOLOGY

In preparing for this review, CDSS staff completed the following tasks:

- Reviewed the 2007 Annual Civil Rights Plan submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of program managers
- Case file reviews
- Facility inspections

Each site/program was reviewed for compliance in the following areas:

- Dissemination of Information
- Facility Accessibility for Individuals with Disabilities
- Bilingual Staffing/Services for Non-English-Speaking Clients
- Accessibility for Clients with Visual or Hearing Impairments
- Documentation of Client Case Records
- Staff Development and Training
- Discrimination Complaint Procedures

Here is a summary of the sources of information used for the review:

Interviews Conducted of Public Contact Staff

Classifications	Total	Bilingual
Eligibility Workers	4	2
Children Social Workers	3	1
Adult Program Workers	1	1
Receptionist/Screeners	3	1
Total	11	6

Program Manager Surveys

Number of surveys distributed	3
Number of surveys received	3

Reviewed Case Files

English speakers' case files reviewed	12
Non-English or limited-English speakers' case files reviewed	42
Languages of clients' cases	54

Sections III through VIII of this report contain specific Division 21 civil rights requirements and present field review findings regarding the county's compliance with each requirement. The report format first summarizes each requirement, then the actual review team findings, including appropriate comparisons. This format is an effort to validate the application of policies and procedures contained in the annual plan. Required corrective actions are stated at the end of each section.

Section IX of the report is reserved for a declaration of overall compliance.

III. DISSEMINATION OF INFORMATION

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by the CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including non- and limited-English speakers and those with impaired hearing or vision or other disabling conditions.

A. Findings

Access to Services, Information and Outreach	Yes	No	Some-times	Comments
Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in?	X			CalWORKS social workers accommodate participant's schedules upon request before 8:00 a.m., between 12:00 p.m. – 1:00 P.m. and after 5:00 p.m. Adult Services staff will make early or late home visits. CWS has 24 hr. emergency response telephone number.
Does the county have extended hours to accommodate clients?	X			Office hours are 8:00 a.m. – 5:00 p.m. CalWORKS social workers accommodate participant's schedules upon request before 8:00 a.m., between 12:00 p.m. – 1:00 P.m. and after 5:00 p.m. Adult Services staff will make early or late home visits. CWS has 24 hr. emergency response telephone number.
Can applicants access services when they cannot go to the office?	X			Through home visits, telephone and through the mail.

Does the county ensure the awareness of available services for individuals in remote areas?	X			The County provides brochures/flyers at community fairs and CBOs, and utilizes the local media. Clients can also find services on county website.
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Signage, posters, pamphlets	Yes	No	Some-times	Comments
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13)? Is the pamphlet distributed and explained to each client at intake and re-certification?	X			The Pub 13 is given out with intake packets and at re-certification. The Pub 13 is explained to the client by the social worker or an interpreter.
Was the current version of Pub 13 available in English, Spanish, Lao, Vietnamese, Chinese, Hmong, Russian, Korean, Farsi, Arabic, Laotian, Tagalog, Armenian and Cambodian?	X			The Pub 13 was available in all the required languages.
Was the Pub 13 available in large print, audiocassette and Braille?	X			The Pub 13 was available in large print, audiocassette and Braille.
Were the current versions of the required posters present in the lobbies?	X			All current versions of the required posters were present in the lobbies.
Did the workers know the location of the required posters with the Civil Rights Coordinator's name and address?	X			All staff interviewed was aware of the location of required posters and where the Civil Rights Coordinator information is posted.

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Were there instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking clients translated into appropriate languages?	X			Directional and informational signage in waiting areas and other places were translated into appropriate languages.

B. Corrective Action

C. Recommendation

The most recent version for each of the above referenced documents is:

Pub 13	"Your Rights under California Welfare Programs"	03/07
Pub 86	"Everyone is Different, but Equal Under the Law"	03/07
Form AD 475B	"And Justice for All"	12/99

Contact your program consultant to receive the most recent versions, or download the Pub 13 from the CRB website http://www.dss.cahwnet.gov/civilrights/YourRights_498.htm.

IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

The Americans with Disabilities Act (ADA) requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from the services available. The federal regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable; in other words, easily accomplished and able to be carried out without much difficulty or expense.

The facility review is based on four priorities supported by the ADA regulations for planning achievable barrier removal projects. The priorities include ensuring accessible approach and entrance to the facility, access to goods and services, access to restrooms, and any other measures necessary.

Note that the references to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in the Corrective Action column refer to the federal Standards for Design. Title 24 of California Code and Regulations (T24 CCR) is also cited because there are instances when California state law is stricter than ADAAG specifications.

The county must ensure that programs and activities are readily accessible to individuals with disabilities. This includes building accessibility and availability of accessible parking as well as accessibility of public telephones and restrooms.

A. Findings and Corrective Actions

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

Use the latest Facility Report when quoting regulations under "corrective action"

Facility Location: One Stop, 1114 Yuba Street, Marysville

Facility Element	Findings	Corrective Action
Parking	One parking space located across walkway in front of building has no ISA sign. (See recommendation)	Sign height shall be 80" minimum from bottom of sign to top of finish grade. (CA T24 1129B.5, ADA 4.6.5) p 133 Wall signage shall be centered 36" minimum above grade, ground, or sidewalk at the interior end of space. (CA T24 1129B.5) p. 133 All other parking was in compliance.
Exterior entrance	There was no accessible signage on any exterior entrance of building.	A sign with the international symbol of accessibility shall be at every primary entrance and every major junction indicating the direction along or to accessible features. (CA T24 1127B.3, ADA 4.1.3(16B), CA T24 1117B.5.8.1.2) pp. 183, 353
Outside signage	There were no ISA signs – non-glare finish, color contrast at any entrance of building.	Characters, symbols and their backgrounds have a non-glare finish. Characters and symbols contrast with their background, either light characters on a dark background or dark characters on a light background. (CA T24 1117B.5.2, ADA 4.30.5) p. 355.

Main Doors	Force to open main entry door excessive at 10 lbs.	Force to open doors, exterior and interior is 5 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 195
Elevator	<p>Accessible elevators were not identified with the International Symbol of Accessibility.</p> <p>Accessible elevators had no landing jamb signage on both sides indicating floor number.</p>	<p>Entrances that are accessible to and usable by persons with disabilities are identified with at least 1 International Symbol of Accessibility. Additional directional signs using the symbol are visible along approaching pedestrian ways. (CA T24 1117.B.5.8.1.2) p. 229</p> <p>Passenger elevator landing jambs on all elevator floors have the number of the floor on which the jamb is located designated by raised characters that are a minimum of 2" in height, Grade 2 Braille, located 60" on center above the floor on the jamb panels on both sides of the door so that they are visible from within the elevator. (CA T24 1116.B.1.15, ADA 4.10.5) p. 237</p>
Men's Restroom	<p>Force to open men's restrooms on 1st and 2nd floors excessive at 10 pounds.</p> <p>Men's restrooms on 1st and 2nd floor had toilet seat protector too high at 46 inches.</p>	<p>Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p. 195</p> <p>If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.9.2 and CA T24 1115B.9.1.2, ADA 4.19.6) p. 269</p>

Women's Restroom	Force to open women's restrooms on 1 st and 2 nd floors excessive at 12 pounds.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p. 195
	Women's restrooms on 1st and 2nd floor had toilet protector too high at 46 inches.	If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.9.2 and CA T24 1115B.9.1.2, ADA 4.19.6) p. 269

C. Recommendation

Since the County has adequate number of accessible parking closer to building, the county could either not use this space by painting over the ISA signage on ground or make this space accessible and in compliance by putting an ISA sign 80" minimum from bottom of sign to top of finish grade.

A. Findings and Corrective Actions

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

Use the latest Facility Report when quoting regulations under "corrective action"

Facility Location: Main Office, 5730 Packard Avenue, Suite 100, Marysville

Facility Element	Findings	Corrective Action
Parking	The Van Accessible sign in front of building was too low at 77".	Sign height shall be 80" minimum from bottom of sign to top of finish grade. (CA T24 1129B.5, ADA 4.6.5) p 133 Wall signage shall be centered 36" minimum above grade, ground, or sidewalk at the interior end of space. (CA T24 1129B.5) p. 133
Client Lobby	Posters needed in Children's Services	Current: 12/99

	<p>Lobby. Posters: And Justice for All (# 475B) Everyone is Different, but Equal under the Law (PUB 86)</p> <p>Pub 13 needed in Children's Services Lobby. Pub13 in all required languages. Spanish, Russian, Farsi, Korean, Armenian, Chinese, Hmong, Lao, Vietnamese, Cambodian</p> <p>Pub 13 05/01 available in large print, Braille, audio.</p>	<p>1/05, with current CRC information (Div 21-107.211)</p> <p>Current: 05/01 or 01/04 (Div 21- 107.221)</p> <p>(Div 21-107.221)</p>
Telephone	Public telephone in hallway does not have the volume control.	<p>At least one in each telephone bank and a minimum of 25% of the total number of public telephones shall be equipped with a volume control and shall be hearing aid compatible. (CA T24 1117B.2.8, ADA 4.1.3.17(b)) p. 253</p> <p>Telephones with volume control shall be hearing aid compatible and identified with a sign. (CA T24 1117B.2.8 & 1117B.5.8.3, ADA 4.1.3.17(b)) p. 253</p>
Men's Restroom	Force to open door of men's restroom excessive at 12 lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p. 195
Women's Restroom	Force to open door of women's restroom excessive at 12 lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p.195

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V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES

Counties are required by Division 21 to ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English-speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staffs are not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreter or other means.

Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDD's), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in individuals' primary languages when the forms and materials are provided by CDSS, and that information inserted in notices of action (NOA) be in the individuals' primary language.

A. Findings from Program Manager Surveys, Staff Interviews and Case File Reviews

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need upon first contact? How?	X			All YUBA County programs have I SPEAK cards available at lobby counters for clients. Yuba County also uses a primary language Form 1179.
Does the county use a primary language form?	X			Primary Language Form 1179.
Does the client self-	X			Client completes the form.

Question	Yes	No	Some-times	Comments
declare on this form?				
Are non-English- or limited- English-speaking clients provided bilingual services?	X			Clients are provided with bilingual services and assigned to a bilingual case worker.
After it has been determined that the client is limited-English or non-English speaking, is there a county process for procuring an interpreter?	X			The case is assigned to a bilingual case worker.
Is there a delay in providing services?		X		
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	X			County has an interpreter list. If an interpreter is not available, then the client can have access to the 800 phone number to access language line.
Are county interpreters determined to be competent?	X			There is a testing process which involves written and oral elements.
Does the county have adequate interpreter services?	X			There are bilingual workers and a process in place to use the language line.
Does the county allow minors to be interpreters? If so, under what circumstances?		X		
Does the county allow the client to provide his or her own interpreter?	X			Only if it is the client's preference.
Does the county ensure that the client-provided interpreter understands what is being interpreted	X			Staff explains to the client there could be a miscommunication by using their own interpreter.

Question	Yes	No	Some-times	Comments
for the client?				
Does the county use the CDSS-translated forms in the clients' primary languages?	X			Translated forms are used and available in languages other than English in the stock room. Forms and notices are also accessible on the County Intranet.
Is the information that is to be inserted into NOA translated into the client's primary language?	X			
Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)?	X			County has a contract with Nor Cal Center on Deafness. Braille text and audio tape available. Reception area screen shows numbers to indicate which room the client is to go to be interviewed. Clients with impaired vision would benefit from visual aides.
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	X			Learning disability is listed in the ISAWS WTW subsystem and also documented in the case narrative. County workers help clients by reading and explaining to them if needed.
Does the county offer screening for learning disabilities?	X			The County has a process in place where clients may opt to be screened or tested for learning disabilities.

VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

Counties are required to ensure that case records document applicant's/recipient's ethnic origin and primary language, the method used to provide bilingual services, information that identifies an applicant/recipient as disabled, and an applicant's/recipient's request for auxiliary aids and services.

A. Findings from Case File Reviews and Staff Interviews

Documented Item	Children's Services	Adult Programs	CalWORKs	Non-Assisted Food Stamps
Ethnic origin documentation	Initial ER Referral	Application Form	SAWS 1	DFA 285
Primary language documentation	Noted in case comments	Noted in case comments	Noted in case comments	Noted in case comments
Method of providing bilingual services and documentation	Assigned Bilingual Case Worker or bilingual services used are noted in case comments	Assigned Bilingual Case Worker or bilingual services used are noted in case comments	Assigned Bilingual Case Worker or bilingual services used are noted in case comments	Assigned Bilingual Case Worker or bilingual services used are noted in case comments
Client provided own interpreter	None found	None found	None found	None found
Method to inform client of potential problem using own interpreter	None found	None found	None found	None found
Release of information to Interpreter	None found	None found	None found	None found
Individual's acceptance or refusal of written material offered in primary language	None found	YCW 438 Form	YCW 438 Form	YCW 438 Form
Documentation of	None found	None found	None found	None found

Documented Item	Children's Services	Adult Programs	CalWORKs	Non-Assisted Food Stamps
minor used as interpreter				
Documentation of circumstances for using minor interpreter temporarily	None found	None found	None found	None found
Translated notice of actions (NOA) contain translated inserts	Yes	Yes	Yes	Yes
Method of identifying client's disability	Initial ER Referral	Emergency Form	Statement of Facts/SAWS2	Statement of Facts/SAWS2
Method of documenting a client's request for auxiliary aids and services	None noted	None noted	None noted	None noted

B. Corrective Actions

Areas of Action	Corrective Action
Documentation if client provided own interpreter	When applicants/recipients provide their own interpreter, the CWD shall ensure that the applicants/recipients are informed of the potential problems for ineffective communication. The CWD shall document in the case record that the applicants/recipients were so informed. Div. 21-116.23
Documentation that interpreter signed confidentiality statement	Consent for the release of information shall be obtained from applicants/recipients when individuals other than CWD employees are

Areas of Action	Corrective Action
	used as interpreters and the case record shall be so documented. Div. 21-116.24
Documentation of primary language	Each agency shall ensure that case record identification shows the applicants/recipient's ethnic origin and primary language. Div. 21-201.21
Documentation that bilingual services were provided	Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. Div. 21-116.22
General	Yuba County must ensure that proper documentation is kept in the file that identifies all the required elements to ensure compliance. Div. 21-116

VII. STAFF DEVELOPMENT AND TRAINING

Counties are required to provide civil rights and cultural awareness training for all public contact employees, including familiarization with the discrimination complaint process and all other requirements of Division 21. The training should be included in orientation, as well as the continuing training programs.

A. Findings

Interview questions	Yes	No	Some-times	Comments
Do employees receive continued Division 21 Training?	X			A newsletter is distributed in addition to the regular periodic training.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	X			
Does the county provide	X			

employees Cultural Awareness Training?				
Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)?	X			
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X			

VIII. DISCRIMINATION COMPLAINT PROCEDURES

Counties are required to maintain a process for addressing all complaints of discrimination. They must track complaints of discrimination through the use of a control log in which all relevant information is kept, including when the complaint was received, the name of the complainant, identifying numbers and programs, basis of discrimination, and resolution. It is usually the Civil Rights Coordinator responsibility to maintain this log.

A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?	X			
Did the employees know who the Civil Rights Coordinator is?	X			
Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint?	X			

IX. CONCLUSION

The CDSS would like to thank the Yuba County Department of Health and Human Services (DHHS) for the cooperation and hospitality provided to the reviewer. Particular thanks to Joyce Ash, the Civil Rights Coordinator, for her assistance in organizing and coordinating all the details of the review.

There is clear evidence of an active civil rights program presence, and a commitment to ensure appropriate delivery of service to all applicants/recipients served by the Yuba County DHHS.

The CDSS found the Yuba County DHHS in overall compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

The Yuba County DHSS must remedy the violations identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter to this report; and the plan must include a schedule by which all actions will be taken to correct the violations.

It is our intent that this report be used to create a positive interaction between the county and CDSS in identifying and correcting compliance violations and to provide the county with an opportunity to implement corrective action to achieve compliance with Division 21 regulations. Civil Rights staff is available to provide technical assistance as requested.